

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Y. IIDA et al
Appln. No. 10/069,755
Date Filed: February 28, 2002
For: SOFT CAPSULES



Art Unit: 1617
Examiner: H. Nguyen
Washington, D.C.
Atty.'s Docket: IIDA=20
Date: April 29, 2003
Confirmation No. 3713

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THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is a [X] REPLY: AMENDMENT AND REMARKS the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
[] Applicant claims small entity status. See 37 C.F.R. §1.27.
[XX] No fee is required.

The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|---|---|-------|---------------------------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS |
| TOTAL | * | MINUS | ** 20 | 0 |
| INDEP. | * | MINUS | *** 3 | 0 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

| SMALL ENTITY | |
|----------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 9 | \$ |
| x 42 | \$ |
| + 140 | \$ |
| ADDITIONAL FEE TOTAL | |
| | \$ |

| OTHER THAN SMALL ENTITY | |
|-------------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 18 | \$ |
| x 84 | \$ |
| + 280 | \$ |
| TOTAL | |
| | \$ |

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- [] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
[] First - \$ 55.00
[] Second - \$ 205.00
[] Third - \$ 465.00
[] Fourth - \$ 725.00
Month After Time Period Set

Other Than Small Entity
Response Filed Within
[] First - \$ 110.00
[] Second - \$ 410.00
[] Third - \$ 930.00
[] Fourth - \$ 1450.00
Month After Time Period Set

- [] Less fees (\$) already paid for month(s) extension of time on .
[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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TECHNICAL CENTER 1600/2900

ATTY.'S DOCKET: IIDA=20

| | | |
|-------------------------------|---|-----------------------|
| In re Application of: |) | Art Unit: 1617 |
| |) | |
| Yoshimitsu IIDA et al |) | Examiner: H. Nguyen |
| |) | |
| Appln. No.: 10/069,755 |) | Washington, D.C. |
| |) | |
| Date Filed: February 28, 2002 |) | Confirmation No. 3713 |
| |) | |
| For: SOFT CAPSULES |) | April 29, 2003 |

REPLY: AMENDMENT AND REMARKS

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Replying to Paper No. 9, the Office Action mailed
February 5, 2003, please amend as follows:

IN THE CLAIMS

Attached hereto is a marked-up version of the
changes made to the claims by the current amendment. The
attached version is captioned "**Version with Markings to Show
Changes Made**".

Delete claim 3 in favor of the remaining claims, and
amend claim 1 and 2 by incorporating therewithin the subject
matter of claim 3 as follows:

6.1 1. (amended) A soft capsule formulation
comprising: